

*Because Freedom Can't Protect Itself*

[acluofnc.org](http://acluofnc.org)

Fall 2012

Volume 45, Issue 4

# ACLU Helps to Free Dozens of Wrongly Incarcerated Prisoners

**A** complicated legal issue unique to North Carolina has resulted in the incarceration of potentially thousands of people for something that was not illegal. In many cases, those incarcerated are not even aware that they are legally innocent of the crimes with which they've been charged. This massive

injustice was first brought to light in June by a *USA Today* investigation, in which the newspaper unearthed cases of people locked up in prisons for violating federal gun possession laws, even though a federal court has since determined that it was not a federal crime for them to have a gun.

The American Civil Liberties Union and the ACLU of North Carolina Legal

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## Five Advocates to Receive Liberty Awards

**F**or 44 years, the ACLU-NC has had the distinguished honor of recognizing exemplary local civil rights leaders at our annual Frank Porter Graham Awards Ceremony.

This year's Frank Porter Graham Award, our most prestigious, will be given to University of North Carolina law professor Deborah Weissman for the many years she has spent working with various individuals and organizations across the state to promote a vision of North Carolina that respects individual rights, human dignity, and due process. As a legal scholar and activist, Weissman

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**Frank Porter Graham Award  
Deborah Weissman**

*For longstanding and significant contributions to the fight for individual freedom and civil liberties in North Carolina.*



## LIBERTY

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Mike Meno, *Communications Director*  
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# Post-Election Report from the Executive Director

As the election results from around the country came in on November 6th, civil libertarians had much to celebrate. For the first time in our nation's history, voters in Maine, Maryland, and Washington approved marriage equality! Minnesotans rejected ballot measures that would have banned same-sex marriage and that would have potentially disenfranchised eligible voters by imposing onerous ID requirements. Election Day also saw the defeat of three dangerous Constitutional amendments in Florida that would have undermined judicial independence, reproductive freedom, and the fundamental separation between religion and government. Voters approved the DREAM Act in



Maryland, creation of an independent public defender commission in New Mexico, and more sensible drug laws in Colorado and Washington. Voters in Massachusetts also approved medical marijuana, allowing doctors to prescribe the drug to patients suffering serious medical problems. The ACLU and its state affiliates played a big role in all of these victories, and your membership dues and contributions are invaluable in these efforts as we move the

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research projects that benefit advocates for the rights of residents across the state. Weissman has authored studies showing "the climate of racial profiling and community insecurity" created when local police are given federal immigration powers and has testified about her findings before a U.S. House subcommittee. She has also worked on issues concerning poverty, gender violence, workers' rights, and extraordinary rendition. ■

has contributed an extraordinary amount of research, writing, teaching, mentoring, and advocacy in defense of liberty. From 1994 to 1998, Weissman was Deputy Director and then Executive Director at Legal Services of North Carolina. In her current position at the University of North Carolina School of Law, she teaches the Immigration/Human Rights Policy Clinic and mentors students doing



## ACLU-NC Award Rev. Dr. William Barber II

*For a deep commitment to  
preserving and defending civil  
liberties in North Carolina.*

**A**s the president of the North Carolina NAACP, William Barber has tirelessly advocated for liberty and equal rights, helping to organize and rally countless people and communities across North Carolina to unite in defense of social justice, voting rights, equal protection, and other causes. Barber organizes the annual Historic Thousands on Jones Street (HK on J), which brings more

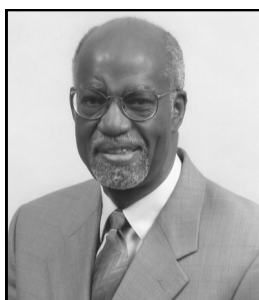
than 100 groups to Raleigh to march for civil rights. In 2012, Barber lobbied to defend the Racial Justice Act, which seeks to address racial bias in the state's death penalty system, and played a major role in galvanizing opposition to the anti-LGBT Amendment One. After the campaign, he played a critical role in persuading the national NAACP to endorse marriage equality for same-sex couples. ■



## Norman Smith Award Katy Parker

*For volunteering extraordinary  
time and effort in service to the  
ACLU of North Carolina.*

**D**uring her six-year tenure as Legal Director of the ACLU of North Carolina, Katy Parker poured her heart and soul into protecting the rights of countless North Carolinians on issues ranging from free speech and religious liberty to racial justice, reproductive rights, and due process under the law. Parker helped to fight for third-party ballot access, to combat state laws restricting reproductive rights, to overturn the state's unconstitutional anti-profanity law, and much more. She won a landmark case reaffirming that invocations delivered at government meetings must be nonsectarian. Parker built the ACLU-NC's legal program into a powerful force for liberty and currently serves on its Legal Committee. ■



## Paul Green Award James E. Ferguson II

*For extraordinary efforts to abolish or  
limit the death penalty in N.C.*

**C**harlotte attorney James "Fergie" Ferguson has dedicated his life to civil rights work and eradicating racism in the criminal justice system, including North Carolina's death penalty. Ferguson recently advocated on behalf of four state death row inmates in their historical evidentiary hearings under the groundbreaking Racial Justice Act. After the first hearing, in which a client was resentenced to life without parole, the judge concluded that Ferguson "introduced a wealth of evidence showing the persistent, pervasive, and distorting role of race in jury selection throughout North Carolina" and called for reform in capital jury selection proceedings. He has received numerous honors as one of the nation's top litigators in his global pursuit of justice and fairness. ■

## The 44th Annual Frank Porter Graham Awards

*Saturday, Feb. 16 - 5:30 p.m.*

William & Ida Friday Center  
100 Friday Center Drive  
Chapel Hill, NC 27599

Visit [acluofnc.org](http://acluofnc.org) for details.



## Sharon Thompson Award Jen Jones

*For extraordinary efforts toward  
advancing equal rights for LGBT  
persons in North Carolina.*

**A**s Communications Director for Equality NC and the Coalition to Protect All NC Families, Jen Jones helped generate thousands of conversations and hundreds of news stories explaining the need for LGBT equality during the campaign against Amendment One. Jones literally ran across the state during her Race to the Ballot, stopping at meetings across North Carolina to rally equality supporters and explain to media why Amendment One, which banned same-sex marriage and civil unions, was so harmful. After the campaign, Jones helped organize and spoke at many town hall meetings to boost the morale of local LGBT allies, while making sure they knew the fight was not over and that there were still ways they could continue working toward equality. ■

# LEGAL NEWS

## ACLU-NC Urges Chapel Hill to Respect Free Speech in Bus Ad Controversy

A free speech controversy erupted in Chapel Hill this summer after many residents took offense to the content of an ad placed on Chapel Hill buses. As defenders of the First Amendment, the ACLU-NC has consistently urged town officials to protect the rights of organizations to voice their views free from government censorship — even when those views are sometimes unpopular.

The ACLU-NC became involved after receiving numerous complaints from Chapel Hill residents concerned about a proposal from some town officials to remove a public bus advertisement paid for by the Church of Reconciliation that featured a Pales-



The placement of the above ad on city buses in Chapel Hill has stirred a debate about free speech.

tinian and an Israeli man holding their grandchildren with text reading, "Join with us. Build peace with justice and equality. End U.S. military aid to Israel."

Some community members, including Chapel Hill Town Councilwoman Penny Rich, have objected to

the advertisement because of its content. Rich has called the advertisement "a manipulative way to call for the destruction of Israel" and proposed banning all "political ads that will offend our Jewish citizens." In letters and public testimony, ACLU-NC Legal Director Chris Brook urged Chapel Hill to "safeguard cherished First Amendment rights and [the town's] reputation as a community welcoming of dialogue" by allowing the bus ads to remain. Banning these ads because some disagree with their message while allowing other ads would be unconstitutional viewpoint discrimination, Brook said. The Council is still considering its bus ad policy. ■

## ACLU Working to Free Wrongly Incarcerated

(Continued from page 1)

Foundation have since urged the U.S. Department of Justice (DOJ) to identify and provide relief to those affected, with mixed results.

In August 2011, the U.S. Fourth Circuit Court of Appeals ruled in *United States v. Simmons* that many North Carolinians had been inaccurately deemed felons under prior case law. This resulted in hundreds of erroneous convictions for being a felon possessing a handgun and unduly harsh sentencing enhancements for

*At least 22 wrongly imprisoned men*

*have been freed, but many more remain.*

those properly convicted of other crimes. In August 2012, the ACLU asked officials at the DOJ to take immediate steps to identify all those prisoners affected and provide relief as appropriate. DOJ agreed to take such action "in the interest of justice." Since then, federal judges in North Carolina have ordered the government to release at least 22 inmates. Unfortunately, the ACLU has found that U.S. attorneys still have not taken

all promised steps to provide relief to all affected inmates. The ACLU estimates that the sentences of as many as 3,000 people may have been affected.

On Oct. 12, the ACLU sent a letter to DOJ, admonishing DOJ for "prolonging the incarceration of innocent people." The ACLU-NC and the ACLU's Washington Legislative Office are continuing to speak out on this issue until justice is served. ■



# ACLU-NC Monitors Police, Protests at DNC in Charlotte



**A**fter more than a year of negotiations with Charlotte officials over security measures and planned treatment of political protestors, ACLU-NC staff members and volunteers were on the ground in Charlotte Sept. 4-6 to protect the rights of protestors and journalists at the 2012 Democratic National Convention (DNC).

The month before, the ACLU-NC hosted a webinar with Charlotte officials and constitutional law experts to explain protestors' rights and the rules during the convention. ACLU-NC Legal Director Chris Brook told the *Charlotte Observer* that peaceful protests outside a political convention are "what the First Amendment is about."

The DNC passed, thankfully, without the mass arrests or widespread police abuses that marked previous conventions, but we remain concerned about expanded surveillance and police powers officials adopted because of the DNC.

*Pictured above right: ACLU-NC volunteer Allene MacNeil of Salisbury, during a march through uptown Charlotte.* ■

## Wrongly Deported N.C. Man Wins Settlement

**M**ark Lyttle, a North Carolina-born American citizen with mental disabilities who was wrongfully deported to Mexico in 2008 and forced to live on the streets and in prisons for months, settled his case against the federal government in October.

Lyttle (pictured right) will receive \$175,000 for the suffering he endured after being detained by Immigration and Customs Enforcement (ICE), who deported him despite ample evidence that he was a U.S. citizen. Lyttle was represented in the lawsuit by the ACLU, ACLU-NCLF, and ACLU of Georgia. The settlement comes after a federal district court in Georgia ruled in Lyttle's favor in March.



*Mentally disabled and unable to speak Spanish, U.S.-born Mark Lyttle spent 125 harrowing days wandering across Central America after his wrongful deportation.*

Lyttle, who suffers from bipolar disorder and cognitive disabilities, was inexplicably referred to ICE in 2008 as an undocumented immigrant from Mexico even though he had never been to Mexico, had no Mexican heritage, and spoke no Spanish.

Lyttle was ordered to be deported, transported to the Mexican border, and forced to disembark there and travel through Mexico on foot, with

only \$3 in his pocket. He spent the next 125 days wandering through Mexico, Honduras, and Nicaragua, sleeping in streets and shelters and enduring abuse and imprisonment because he had no identity documents or proof of citizenship.

Only after Lyttle came across a sympathetic U.S. embassy official in Guatemala was he able to secure a passport and return to the U.S. in 2009. ■

## Support the ACLU-NCLF by Making a Tax-Deductible Contribution Today!

Friends, we need your help. As you evaluate your budget and think about your charitable contributions for 2012, please put the ACLU-NCLF at the top of your list. The demand for our work has never been greater!

o **Yes!** I want to help keep the Flame of Liberty burning brightly in North Carolina. Enclosed is a check for my tax-deductible contribution in the amount of:

o \$50 o \$100 o \$250 o \$500 o Other \$ \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, NC Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Make check payable to the  
ACLU-NC Legal Foundation

and mail to:

**ACLU-NCLF**

**P.O. Box 28004**

**Raleigh, NC 27611-8004**

For more information or to charge your contribution on a credit card, contact Program Associate Kevin Eason at (919) 834-3466 or [keason@acluofnc.org](mailto:keason@acluofnc.org). MasterCard and Visa accepted, and we offer monthly, quarterly, and semiannual giving options to fit your budget.

You can also make a contribution through the ACLU-NCLF's secure website at:

**[www.acluofnorthcarolina.org/?q=donate](http://www.acluofnorthcarolina.org/?q=donate)**

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country forward toward freedom and equality for all.

However, the news here in North Carolina was much less rosy, and we clearly have our work cut out for us in the coming years! Both houses of our state legislature will be under the control of right-wing extremists, and unlike Governor Bev Perdue, Governor Pat McCrory will be unlikely to veto even their most onerous attacks on civil liberties. Even if he did, the House and Senate now contain veto-proof supermajorities. **This new political reality means that the ACLU-NC Legal Foundation must quickly expand our legal program so that we can bring more challenges in court, beginning with voting rights, which we expect to come under siege again as soon as the next North Carolina General Assembly meets in January.**

**The ACLU-NC Legal Foundation is North Carolina's leading safeguard against a devastating erosion of civil liberties.** We are currently in federal court, litigating challenges to two laws passed during the 2011 legislative session: one such law requires abortion providers to show women an ultrasound and describe the images in detail four hours before having an abortion, even if the woman objects, and the other authorizes the creation of a "Choose Life" specialty license plate but refuses to make available any pro-choice alternative. In both cases, we have successfully prevented these laws from taking effect, but the litigation is still ongoing, so we're not out of the woods yet.

We need your help! Please tear off the donation form to the left and make a tax-deductible contribution to support the ACLU-NC Legal Foundation today. Please consider making a gift of \$250, \$500, or even \$1,000 or more if such a donation fits into your budget. Another great option is our sustainer program, where you authorize us to charge a certain amount monthly or quarterly on your MasterCard or Visa. Whether you are able to give a large contribution, a sustaining contribution, or just a smaller one-time contribution, we are very grateful for your help, and we promise to use your money wisely. ■

# Feds: Alamance Sheriff, Deputies Target Latinos

**A** two-year investigation by the U.S. Department of Justice (DOJ) found that the Alamance County Sheriff's Office (ACSO), under the leadership of Sheriff Terry Johnson, has engaged in widespread patterns of discrimination by illegally targeting, stopping, detaining, and arresting Latinos without probable cause.

The investigation, which was launched after the ACLU-NC and other groups submitted complaints about racial profiling by the sheriff's office to the DOJ, found the discrimination "intentional and motivated by [Sheriff Johnson's] prejudices against Latinos." According to the DOJ report, Johnson referred to Latinos as "taco eaters" prone to drinking, drug dealing, and other crimes. He ordered special roadblocks in neighborhoods



Sheriff Terry Johnson

where Latinos live, and deputies targeted Latino drivers, the report says.

A statistical study commissioned by the DOJ finds that ACSO deputies are between 4 and 10 times more likely to stop Latino than non-Latino drivers.

"We have been receiving troubling reports of discriminatory policing by the Alamance County Sheriff's Office for years," said ACLU-NC Executive Director Jennifer Rudinger. "The DOJ findings con-

*"If you stop a Mexican, don't write a citation, arrest him."*

-Orders Alamance Co. Sheriff Terry Johnson gave to his deputies, according to the Justice Department.

firm what we and others on the ground have long suspected."

To date, ACSO has defiantly refused to remedy these violations. The ACLU-NC is urging the DOJ to take any necessary action to ensure that the abuses stop. After the DOJ report was released, federal officials halted ACSO's participation in the federal 287(g) program, which had previously given ACSO the authority to enforce federal immigration laws within its jurisdiction. ■

## Help End Racial Profiling.

### Put It in Writing.

**T**he ACLU-NC is calling on victims of racial profiling to write down and document their experiences in order to assist the organization with public education, lobbying, and the creation of community-based solutions to the problem of racial profiling, with an eye to possible litigation if necessary. Report forms are available at [acluofnc.org](http://acluofnc.org).

A recent report from University of North Carolina Prof. Frank

Baumgartner found that in North Carolina, Latino and African-American drivers are 96% and 77% more likely, respectively, than white drivers to be searched after a traffic stop.

At a Sept. 18 press conference to launch the Write It Down campaign, victims of racial profiling shared their stories. Lelynd Darkes, 20, told reporters: "I've been pulled over for no reason at all. I've been dragged out of my vehicle. I've been



Above: Racial profiling victim Lelynd Darkes, 20, speaks at a Sept. 18 press event. Seated left: ACLU-NC Racial Justice Attorney Raul Pinto.

handcuffed, humiliated, harassed. I feel like my voice is the voice of thousands of young African-American men." ■

## LEGISLATIVE NEWS

# New Law Threatens to Chill Student Speech

**U**nder a new state law going into effect Dec. 1, public school students who use a computer with "intent to intimidate or torment" school employees could face up to 60 days in jail or a \$1,000 fine.

The ACLU-NC has opposed this law for many reasons, chiefly because the state has not defined what will be considered intimidating or tormenting speech, meaning that nearly any comment any student makes about school officials online could potentially be treated as a criminal act. It also threatens to take away students' basic constitutional rights to speak freely and to criticize government officials.

Under the law, students as young as 16 could potentially face jail time and have criminal records



for objecting to a decision by school administrators or for making a true statement about something a teacher did.

Criminalizing the speech of students is a very slippery slope. The state risks setting an unhealthy precedent by telling young people that they could be punished for questioning authority figures. And students who receive a criminal record simply

for posting something on the Internet that a school official finds offensive could be saddled with a lifetime of damaging consequences.

The ACLU-NC is interested in challenging this law in court. If you know a student who is charged under this law or are a public school teacher who thinks criminalizing student speech is wrong, please contact our office at 919-834-3466. ■

## New Campaign: 'Teach Students, Not Stereotypes'



**T**he ACLU-NC has joined ACLU affiliates from around the country in speaking out against and seeking public documents related to public schools that separate and teach girls and boys in different environments. Two public single-sex "leadership academies" opened in Wake County this year that, we fear, are based on discredited "science" that is rooted in outdated gender stereotypes. Single-sex proponents say that boys and girls are "hardwired" to learn differently and that the most effective way to teach them is to separate them

based on their sex and use different teaching strategies. For example, teachers are instructed that girls should not have time limits on tests because, unlike boys, girls' brains cannot function well under these conditions; and that boys who like to read, do not enjoy contact sports, and do not have a lot of close male friends should be firmly disciplined, required to spend time with "normal males," and made to play sports. The ACLU-NC and allies sent a Sept. 19 letter to the Wake County School Board outlining our concerns. *Learn more: [www.aclu.org/womens-rights/teach-kids-not-stereotypes](http://www.aclu.org/womens-rights/teach-kids-not-stereotypes)* ■



# ACLU-NC to Greensboro:

## Panhandling Restrictions Are Unconstitutional

**A** new panhandling ordinance adopted by the Greensboro City Council violates the First Amendment rights of panhandlers and should be repealed, the ACLU-NC told Greensboro officials in a Sept. 28 letter.

Under the revised ordinance, individuals who panhandle are required to obtain permits and will be restricted to the sidewalk, while also being prohibited from standing within 1,000 feet of a highway exit or 100 feet of an ATM – or any business that has an ATM.

“The U.S. Supreme Court said you can’t ban panhandling or put so many restrictions on it that there is



nowhere left in the city where people can panhandle,” ACLU-NC Policy Director Sarah Preston told the *Greensboro News & Record*. “The city has a page and a half of restrictions. They have made it extremely difficult for panhandlers to find a place where they could legally do it.”

In the letter to city officials, Preston also pointed out that many of the “needlessly restrictive” measures will be applied only to individuals who panhandle for themselves and not those who solicit contributions for charitable organizations – which violates equal protection laws.

Greensboro is not the first state municipality to impose new rules that limit the rights of panhandlers. In January, the ACLU-NC sent similar letters to the City of Raleigh, Wake County, and Johnston County after officials there adopted their own restrictive and constitutionally suspect ordinances. ■

## Dunn Ditches Plan to Ban Saggy Pants After ACLU Letter

**A** misguided proposal to prohibit the wearing of “saggy pants” in the City of Dunn was abandoned by officials in September after the ACLU-NC wrote a letter explaining that the proposal was vague, impractical, and likely unconstitutional.

Over the summer, Dunn Mayor Pro Tem Carnell Robinson said he wanted to ban the wearing of pants three inches below the waist because he believed the fashion choice was “disrespectful” and that banning it would result in lower crime rates. After the Dunn City Council asked the city’s attorney to research an ordi-

nance that would fine people for wearing saggy pants, ACLU-NC Policy Director Sarah Preston wrote officials a letter in August outlining various constitutional concerns over their attempts to serve as fashion police.

“Given that the proposed ordinance would violate Dunn residents’ freedom of expression and that courts have struck down similar laws as unconstitutional, the ACLU-NC urges the city to reject the proposal,” Preston wrote. “Adopting such a proposal would require Dunn’s law enforcement to start policing fashion sense and would waste City resources to serve no serious government interest.”



After hearing concerns from the ACLU-NC and residents, City Attorney Tilghman Pope told the City Council in September that there was little legal precedent for such a law, and the proposal was abandoned. ■

# Chapter Updates

## Duke Law ACLU Hosts Series of Talks on Civil Liberties

**T**he Duke Law ACLU has hosted and organized a broad range of discussions on civil liberties this academic year.

Panel topics have ranged from “The TSA, Body Scanners, and Your Privacy” and “Stop & Frisk in New York City: Unconstitutional?” to affirmative action policies and reproductive rights.

Speakers have included ACLU-NC Legal Director Chris Brook, ACLU-NC Policy Director Sarah Preston, and various law professors and experts.

On Nov. 13, Sarah Preston and

a representative from Planned Parenthood will talk about recent state-level efforts to curb women’s reproductive rights (Duke Law School, Room TBA, 12:15 p.m.). More events for the spring semester will be announced in the months to come. For more information, email Steve Wagner at [sdw27@duke.edu](mailto:sdw27@duke.edu).

*Pictured: ACLU-NC Policy Director Sarah Preston (left) talks about privacy rights and TSA body scanners at Duke Law Oct. 8, alongside Stewart Verderer, former assistant secretary for Border and*



*Transportation Security Policy and Planning at the Department of Homeland Security (center) and student Phil Aubart. The event was co-hosted by the Duke Law Federalist Society.* ■

## Edith Garwood to Receive Human Rights Award at Dec. 6 Dinner

**T**he Human Rights Coalition of North Carolina will award Edith “Edie” Garwood of Concord this year’s International Human Rights Award. Garwood is the Country Specialist for Israel, the Occupied Palestinian Territories, and the Palestinian Authority, for the United States section of Amnesty International. The award will be presented at a dinner at the

NC State University Club, 4200 Hillsborough Street, Raleigh (just east of the state fairgrounds) on Thursday, Dec. 6. The social hour will begin at 6:30 p.m., with dinner at 7:15. Cost is \$35 per person. A cash wine bar will be available. Garwood will speak on “Israel/Palestine - Can We Talk?”

Please send checks payable to HRCNC to Joyce Scapicchio, 5400 Neuse Forest Road, Raleigh 27616.



Garwood not. For additional information, please call Joyce at 919-880-3820. ■

Advance payment is required and must be received on or before Wednesday, Nov. 28. Please indicate whether you would like your meal to be vegetarian or not. For additional information, please call Joyce at 919-880-3820. ■

## Western NC Chapter Celebrates Longtime Board Member



*ACLU-NC Board Member Curry First and his partner, Patricia Robertson, at Blue Ridge Pride in Asheville on Oct. 6.*

**T**he Western NC ACLU chapter has had a productive few months tabling in Asheville at Goombay (African-American annual festival), and Blue Ridge Pride (LGBTQ annual festival).

The chapter also sponsored a program at UNC-Asheville on the death penalty featuring Appalachian State University professor Dr. Matthew Robinson and revised its bylaws’ diversity policy.

At a recent meeting, the chapter surprised and honored longtime Board member Jim Cavener with a birthday cake. Cavener serves as chapter representative to the Cavener ACLU-NC Board and his ACLU involvement goes back to the 1960’s, including some time with national ACLU founder Roger Baldwin. The chapter thanks Jim for his dedicated service. ■

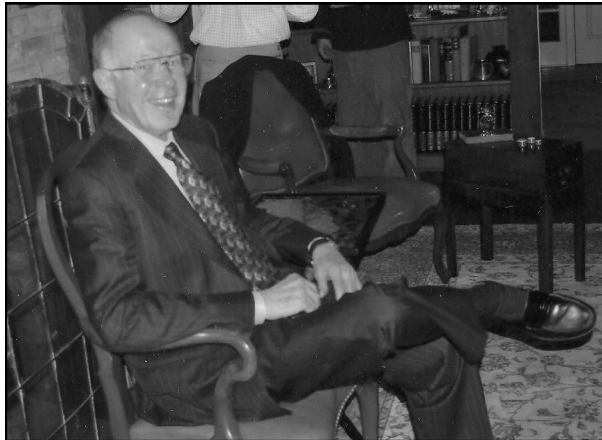


## In Memoriam

# Charles “Chunny” Lambeth

*Thomasville Attorney Cofounded the ACLU-NC in the 1960s*

**F**riends of the Bill of Rights mourn the July 31 passing of Charles Franklin Lambeth, Jr., a prominent Thomasville attorney who cofounded the North Carolina Civil Liberties Union in the mid-1960's and went on to dedicate many years of service to its Board of Directors and to the advancement of civil liberties in North Carolina.



Lambeth, better known as “Chunny,” was a Thomasville native who received his undergraduate and law degrees from UNC - Chapel Hill and was very active in many city, state, and national organizations and charities throughout his life.

As a longtime Board member of what would become the ACLU of North Carolina, Lambeth marched for civil rights in the 1960's, served as

an ACLU-NC cooperating attorney on numerous First Amendment cases, and helped organize North Carolinians Against the Death Penalty. As recently as 2007, Lambeth appeared before the Thomasville City Council to ask that officials stop using sectarian prayers to open their meetings and kept in regular touch with the ACLU-NC on religious liberty issues.

“Charles was the true embodiment of moral courage and steadfast principle,” said longtime friend and fellow ACLU-NC leader Norman Smith. “Even the smallest and most local deviation from First Amendment principles did not escape his attention, nor did it continue without his kind (but persistent) admonitions that the unconstitutional conduct needed to stop. Truly, he was the embodiment of our organization’s precept that liberty can be maintained only by eternal vigilance.”

Jennifer Rudinger, ACLU-NC Executive Director, added, “Chunny’s legacy will be our eternal vigilance, and we honor him by our work. We’ll miss his warmth, his supportive notes and emails, and his passion for the Bill of Rights.” ■

## With a Single Sentence, You Can Defend Freedom Now and Forever.

Right now, by adding the ACLU to your will, you can leave a legacy of liberty for generations to come and defend our freedom today.

Name the ACLU in your estate plans, and the LuEsther T. Mertz Charitable Trust will make a cash matching contribution of up to \$10,000 to the ACLU today, while matching funds are available.

For simple bequest language to include in your will and for information on other gifts that qualify for the Legacy Challenge, visit [www.aclu.org/legacy](http://www.aclu.org/legacy) or call us toll-free at 877-867-1025.



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## Charlotte area members!

*You're Invited* to help restart the  
ACLU's Charlotte chapter.

**WHEN:** Sunday, Dec. 2, 3:00-5:00 p.m.

**WHERE:** Unitarian Universalist  
Church of Charlotte, 234 North  
Sharon Amity Road, Charlotte, 28211

Contact: ACLU member Don Rosenthal at  
[dbrosenthal@bellsouth.net](mailto:dbrosenthal@bellsouth.net)

Career Opportunity at the  
ACLU-NC Legal Foundation

## Development Director

Applications are currently being accepted.

For job duties, qualifications, and  
instructions on how to apply, please visit  
[www.acluofnc.org](http://www.acluofnc.org)

(The ACLU-NCLF is an equal opportunity / affirmative  
action employer. We encourage applications from all  
interested persons, including people of color, persons with  
disabilities, and LGBTQ persons.)